

### CONCLUSION

This Amendment in RCE is being filed concurrently with a Request for Continued Examination. Claim 10 has been amended to include the features of cancelled claims 11 and 12.

The Office Action asserts that the member for rotating the roll staple is brought into contact with a circumferential surface of the roll staple, and is not part of the opening, formed at a part of the staple case. Rather the member for rotating is part of a separate structure that interfaces with the staple case opening. Therefore, the intended use of opening 29 in *Strååt* is irrelevant because it can operate to receive a member for rotating the roll staple.

Applicants respectfully submit that the added features of dependent claims 11 and 12 into independent claim 10 are not disclosed in *Strååt*. That is, *Strååt* does not disclose a “pull-out opening through which the roll staple is pulled out, wherein the pull-out opening is provided at a vertical center of a front face of the staple case.” *Strååt* does not provide at least a pull-out opening located at a vertical center of a front face of the staple case. Contrary to the Office Action, the location of the pull-out opening is easily understood by both a layman and one of ordinary skill in the art.

In view of the foregoing, Applicants respectfully request reconsideration and allowance of all pending claims.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

**EXCEPT** for issue fees payable under 37 C.F.R. § 2.28, the Commission is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to our Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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